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10/535,493

05/18/2005

Colin J West

540-563

3929

23117

7590

07/02/2008

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EXAMINER

GOFF II, JOHN L

ART UNIT

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1791

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Art Unit: 1791

Continuation of 11. does NOT place the application in condition for allowance because:

The declaration submitted 6/19/08 has been considered and is not persuasive.

The declaration states, "Claim 22 requires an assembly of surfaces "having a layer of polysulphide sealant cured thereon prior to assembly." A "cured" layer of polysulphide sealant is a sealant which has reached a Shore A hardness of approximately 39 and which is tack free, will not adhere to other materials, e.g., glass or metal, upon contact or under light pressure, e.g., finger pressure, and which will have good levels of environmental resistance."

The claims are not commensurate in scope with this argument. Applicants specification does not define "cured" as set forth in the declaration. The examiner considers sealant "cured" as understood by one of ordinary skill in the art to have its ordinary meaning of cross-linking at least some of the polymer chains in the sealant. John et al. very clearly describes the assembly as having a layer of polysulphide sealant cured thereon prior to assembly (Column 2, lines 60-66 and Column 3, lines 5-23).

Applicants argue, "Paragraph 19 notes that, at best, the John polysulphide sealant may not be not be more than 50 to 70% cured during the time period specified and that it would certainly not be fully cured based upon the requirements in the present specification, i.e., in 14 days the sealant is approximately 99% cured. At the end of paragraph 19, Dr. Harris concludes that John discloses an un-cured polysulphide in his assembly process."

The claims are not commensurate in scope with this argument. The claims do not require the adhesive is fully cured nor do the claims require "cured" as defined in the declaration. John et al. very clearly teaches prior to assembly between metal sheets the room temperature curable sealant stands at room temperature for at least 4 hours which sealant cures in about 2 hours to a

Art Unit: 1791

non-spreadable state (Column 2, lines 60-66). The sealant is very clearly cured prior to assembly.

/John L. Goff/

Primary Examiner, Art Unit 1791